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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/629,697	07/30/2003	Jack Gin		8720

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Paul D. Gornall
Barrister & Solicitor; Reg'd Patent & TM Agent
1820-355 Burrard St.
Vancouver, BC V6C 2G8
CANADA

EXAMINER

DESIRE, GREGORY M

ART UNIT	PAPER NUMBER
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2624

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/05/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/629,697

Applicant(s)

GIN, JACK

Examiner

Gregory M. Desire

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 July 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☒ Claim(s) 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kajino et al (6,890,110).

Kajino discloses

a) Window frame (fig. 13, block 200 and col. 12 line 45, front housing and col. 12 lines 54-56 includes mounting frame attached to block 206 which is part of the front housing) mounted within a switch box (fig. 13, block 202 and col. 12 line 45, rear housing);

b) A surveillance device mounted within the frame (fig. 13, block 10 and col. 4 lines 40-44, camera);

c) A cover plate (note col. 12 line 53, dome cover as cover plate); in which the window frame can be pivoted back and forth to orient the surveillance device toward an entrance to a room in which the switch box is mounted and then locked in the selected position by engagement of the cover plate with the frame front during attachment of the cover plate to the switch box (note col. 4 lines 40-65, claims describe limitation of

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camera rotation device disclosed, rotation device orients the surveillance device towards any direction).

Kajino does not disclose expressly features relating to a bay window. At the time of the invention, it would have been obvious to a person of ordinary skill in the art include features of bay windows. Applicant has not disclosed that a bay window structure provides an advantage, is used for a particular purpose or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected applicant's invention to perform equally well with Kajino dome window cover and front housing frame that includes a camera rotation device with camera or the claimed bay window structure because both structures perform the same function position surveillance device towards a position. Therefore, it would have been obvious to combine to one of ordinary skill in the art to modify Kajino to obtain the invention as specified in claim 1.

Regarding claim 2 Kajino discloses,

Switch box is a standard electrical switch box adapted for mounting adjacent to an electrical light switch at an entrance to a room at a typical chest height location for users of the room, and the bay window cover plate resembles a decor motion detector switch cover and conceals the surveillance device (note co 13 line 1-50, contains electrical connectors and can be mounted anywhere and dome conceals the camera).

Regarding claim 3 Kajino discloses,

Surveillance device is a camera (note col. 4 lines 40-44).

Regarding claims 4 Kajino discloses,

Surveillance device is an illuminator (note col. 13 lines 17-23).

Regarding claim 5 Kajino discloses,

Surveillance device is a camera and illuminator, the camera is mounted in a camera compartment of the bay window frame, the illuminator is mounted in a illuminator compartment of the partially rotate bay window frame, and both camera and illuminator can be pivoted back and forth with the frame prior to locking in position, for illumination of a scene at which the camera is pointed (note col. col. 4 lines 40-44 and col. 13 lines 17-23).

Regarding claim 6 Kajino discloses,

Camera compartment is separated from the illuminator compartment by a floor that seals light from the illuminator compartment from entering directly to the camera compartment, the light being directed out a pane of the bay window cover plate for reflection from the scene and return to the camera for imaging of the scene (note fig. 3).

3. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kajino as applied to claim1 above, and further in view of Lin (6,108,437).

Regarding claims 7 and 8 Kajino discloses,

Surveillance device is integrated with a computer system (note col. 4 lines 45-50). Kajino is silent disclosing system integrated with a video processing system having facial recognition software, which can analyze various features of a face of a person under surveillance and match them with known features of identified people to the point of identification of a person entering the room. Lin discloses system having facial recognition software analyze a face of a person under surveillance (note Lin col. 5 lines 55-65). Kajino and Lin are combinable because they are from the same field of surveillance cameras. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include facial recognition software in the system of Kajino as evidenced by Lin. The suggestion/motivation for doing so would have been accurately recognizing and identifying a human face from a database in a surveillance system (note col. 1 lines 66-67). Therefore, it would have been obvious to combine Kajino with Lin to obtain the invention in claims 7-8.

4. Claims 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kajino as applied to claim 1 above, and further in view of Sergeant (5,517,236).

Regarding claims 9-11 Kajino discloses,

Surveillance device is integrated with a computer system (note col. 4 lines 45-50). Kajino is silent disclosing system integrated with a video processing system that causes sequential shuttering variations by the surveillance device in order to capture a variety of exposures of the light information from a face, together with software that

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discards the less informative exposures and proceeds with more informative exposures. Sergeant discloses system varies shutters by the surveillance device capture variety of exposure of light information (note Sergeant col. 11 lines 1-20). Kajino and Sergeant are combinable because they are from the same field of surveillance cameras. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include exposure control in the system of Kajino as evidenced by Sergeant. The suggestion/motivation for doing so would have been allow user to adjust shutter to control light (note col. 2 lines 43-54). Therefore, it would have been obvious to combine Kajino with Sergeant to obtain the invention in claims 9-11.

Allowable Subject Matter

5. Claim 12 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
6. The following is a statement of reasons for the indication of allowable subject matter: Regarding claim 12, the prior art fails to disclose all the features in combination of the claim, which includes the structure, facial recognition software, sequential shuttering discarding less informative exposure, varying shutter speed accommodate unpredictable effects of ambient light and increase variation exposure if recognition is poor and decrease variation if exposure recognition is good.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory M. Desire whose telephone number is (571) 272-7449. The examiner can normally be reached on M-F (6:30-3:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on (571) 272-7778. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Gregory M. Desire
Examiner
Art Unit 2624



G.D.
January 20, 2007